

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

FREDRICK G WILBERT,

Plaintiff,

VS.

NATHANIEL QUARTERMAN, *et al*,

Defendants.

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CIVIL ACTION NO. C-08-341

ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION DENYING
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

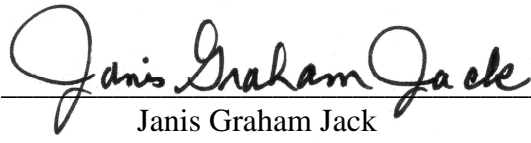
On January 30, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that plaintiff's motion for default judgment (D.E. 20) be denied. On February 10, 2009, plaintiff filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and plaintiff's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that plaintiff's motion for default judgment is denied.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 12th day of February, 2009.



Janis Graham Jack
United States District Judge